IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

Con.Case(C).No. 1325 of 2007(S)

AGAINST THE JUDGEMENT IN WPC.16386/2007 Dated 14/06/2007

.....

PETITIONER/PETITIONER:

ANNIE LAZAR, W/O. LAZAR,
AGED 58 YEARS, T.C.20/18, KIZHAKKUMPAT KARA,
THRISSUR-5.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER IBRAHIM

RESPONDENTS:

---

1. K.J. MATHEW
(AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER), WORKING AS SECRETARY TO GOVERNMENT, DEPARTMENT OF PUBLIC WORKS, GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

2. M.D. VINCENT,
(AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER), WORKING AS THE ASSISTANT EXECUTIVE ENGINEER, P.W.D. ROADS SUB DIVISION, THRISSUR.

3. BIJU SUDHAKAR,
(AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER), WORKING AS VILLAGE OFFICER, CHEMPUKKAVU VILLAGE, CHEMPUKKAVU, THRISSUR.

4. P. SURESH BABU,
(AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER), WORKING AS REVENUE DIVISIONAL OFFICER, THRISSUR.

5. B.V. VARGHESE,
(AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER), WORKING AS TAHSILDAR, THRISSUR TALUK.

6. BAL DEV,
(AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER), WORKING AS ASSISTANT ENGINEER,
P.W.D. ROADS TOWN SECTION, THRISSUR.

BY SENIOR GOVERNMENT PLEADER, SRI.T.T.MUHAMOOD

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

==========

Con. Case (C) No.1325 of 2007

==========

Dated this the 13th day of December, 2007

JUDGMENT

By this contempt case, the petitioner complains of violation of annexure A judgment wherein an order of stay has been passed pending fresh disposal of the matter after affording an opportunity of being heard to the petitioner. The petitioner submits that after passing of the final judgment, the respondents have demolished the petitioner's gate and wall, which was the subject matter of the writ petition. The respondents, except the 1st respondent filed separate affidavit expressing regret and apologising unconditionally for the mistake committed by them. The petitioner has filed a reply affidavit stating that the apology is not bona fide and the same should not be accepted. Although I am not at all happy with the conduct of the respondents, I am inclined to accept the unconditional apology and to close the contempt case. However, the respondents who are responsible for the action taken have to pay costs of the petitioner in these

proceedings. After hearing, I find that respondents 2 and 6 are the persons directly responsible for the incident. In the above circumstances, while closing the contempt case, I direct each of the respondents 2 and 6 to pay costs at the rate of Rs.5,000/- each, to the petitioner. This shall be paid within two weeks from today.

Sd/-
S.SIRI JAGAN,
JUDGE

jp